

DECLARATION AND POWERS OF ATTORNEY

As a below named inventor, I hereby declare that my residence, post office address and citizenship is as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled " Telecommunications Tandem System for Circuit-Based Traffic," the specification of which was filed on _____, as Application Serial No. _____ and was amended herewith or, if not identified here by filing date and serial number, is attached hereto. I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 CFR 1.56(a). I hereby claim foreign priority benefits under 35 USC 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate by me or my representatives or assigns for this invention having a filing date before that of the application on which priority is claimed:

Application No. _____ in _____ on _____ priority claimed () Yes () No

Application No. _____ in _____ on _____ priority claimed () Yes () No

Application No. _____ in _____ on _____ priority claimed () Yes () No

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. I hereby appoint, individually and collectively, the following as my/our attorney or agent with full power of substitution and revocation, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith:

Harley R. Ball Registration No. 31,733; and

Michael J. Setter Registration No. 37,936

PLEASE ADDRESS ALL
COMMUNICATIONS TO:

Attn: Harley R. Ball
Sprint Law Department
8140 Ward Parkway
Mailstop: MOKCMP0506
Kansas City, Missouri 64114

SOLE OR JOINT

Inventor (1) Joseph Michael Christie (deceased)
(Type or Print)

(Signature in Full)

Citizenship: USA citizen

Date: _____

Post Office Address:

Residence:

SOLE OR JOINT

Inventor (2) Michael Joseph Gardner
(Type or Print)

Michael Joseph Gardner
(Signature in Full)

Citizenship: USA citizen

Date: 11/22/96

Post Office Address: Overland Park, Kansas

Residence: 5307 W. 100th Street
Overland Park, Kansas 66207

SOLE OR JOINT

Inventor (3) William Lyle Wiley
(Type or Print)

William Lyle Wiley
(Signature in Full)

Citizenship: USA citizen

Date: 11-22-96

Post Office Address: Olathe, Kansas

Residence: 814 N. Mesa St.
Olathe, Kansas 66061

SOLE OR JOINT

Inventor (4) Albert Daniel DuRee
(Type or Print)

Albert Daniel DuRee
(Signature in Full)

Citizenship: USA citizen

Date: 11-22-96

Post Office Address: Independence, Missouri

Residence: 16913 Cogan Road
Independence, Missouri 64055

SOLE OR JOINT

Inventor (5) Tracy Lee Nelson
(Type or Print)

Tracy Lee Nelson
(Signature in Full)

Citizenship: USA citizen

Date: 11-22-96

Post Office Address: Shawnee Mission, Kansas

Residence: 7103 Mastin
Shawnee Mission, Kansas 66203

DECLARATION ON BEHALF OF DECEASED INVENTOR's LEGAL REPRESENTATIVES

As a joint inventor of the subject matter which is claimed for and which a patent is sought on the invention entitled "Telecommunications Tandem System for Circuit-Based Traffic," the specification of which was filed on November 22, 1996, as Application Serial No. 08/755,268. Upon information and belief, I hereby declare the following on behalf of deceased inventor Joseph Michael Christie's legal representatives Joseph S. Christie and Jean M. Christie

- I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the above entitled invention.
- I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.
- I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 CFR 1.56(a).
- I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

JOINT INVENTOR

Inventor: (1) Joseph Michael Christie (deceased) and late a citizen of the United States and resident of San Bruno, CA , Legal Representatives, Joseph S. Christie and Jean M. Christie, both citizens of the United States and residents of Mt. Pleasant, PA.

(Co-Executor: Joseph S. Christie)

(Co-Executor: Jean M. Christie)

Date: _____

JOINT INVENTOR

Inventor: (2) Michael Joseph Gardner
(Type or Print)Michael Joseph Gardner
(Signature in Full)Citizenship USA citizenDate: 7/30/97Residence: 5307 W. 100th Street, Overland Park, Kansas 66207

JOINT INVENTOR

Inventor: (3) Albert Daniel DuRee
(Type or Print)Albert Daniel DuRee
(Signature in Full)Citizenship USA citizenDate: 7-29-97Residence: 16913 Cogan Road, Independence, Missouri 64055

JOINT INVENTOR

Inventor: (4) William Lyle Wiley
(Type or Print)William Lyle Wiley
(Signature in Full)Citizenship USA citizenDate: 7-30-97Residence: 814 N. Mesa Street, Olathe, Kansas 66061

JOINT INVENTOR

Inventor: (5) Tracy Lee Nelson
(Type or Print)Tracy Lee Nelson
(Signature in Full)Citizenship USA citizenDate: 7-29-97Residence: 7103 Mastin, Shawnee Mission, Kansas 66203



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
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OFFICE OF PETITIONS
AND PATENTS

In re Application of
Christie (deceased), Gardner,
Wiley, DuRee, and Nelson
Application No. 08/755,268
Filed: November 22, 1996
For: Telecommunications Tandem
System for Circuit-Based
Traffic

:
:
: DECISION ACCORDING STATUS
: UNDER 37 CFR 1.47(a)
: AND REQUIREMENT FOR
: SUPPLEMENTAL DECLARATION
:

This is in response to the "Petition Under 37 CFR 1.47(a) and 1.42," filed March 5, 1997.

The petition is granted.

The above-identified application was filed on November 22, 1996 with an unexecuted declaration.

On January 31, 1997, Initial Patent Examination Division sent a "Notice to File Missing Parts of Application" requiring an oath or declaration signed by the legal representative of the deceased inventor and a surcharge.

In response, on March 5, 1997, applicant filed the instant petition. The petition included a "Declaration on Behalf of Deceased Inventor" signed by joint inventors DuRee, Gardner, Wiley, and Nelson, proof of authority of Joseph S. Christie and Jean M. Christie in compliance with 37 CFR 1.44 (Exhibit A) and proof of refusal of the legal representatives (the declaration of facts of Jay B. Beatty and the Express Refusal, Exhibit D). Furthermore, the petition set forth the last known address of the legal representatives and included the petition fee.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(a), this Office will forward notice of this application's filing to non-signing legal representatives, Joseph S. Christie and Jean M. Christie, at

the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

However, the declaration signed by the joint inventors is not in compliance with 37 CFR 1.63 and 1.64 since the proper party to file the application on behalf of the deceased inventor was his legal representative. 35 U.S.C. § 117. Since the statute permits the legal representative to file on behalf of the deceased inventor and since the legal representative has refused to join the application, the joint inventors should sign the declaration for patent application on behalf of the legal representatives. See Manual of Patent Examining Procedure, Section 409.03(c). Petitioner may wish to modify the "Declaration and Power of Attorney" to state: "Inventor (1) Joseph Michael Christie (deceased), late a citizen of the United States and resident of _____, Legal Representatives, Joseph S. Christie and Jean Mr. Christie, both citizens of the United States and residents of Mt. Pleasant, PA." The supplemental declaration should identify the application number or serial number and filing date of the application. Furthermore, the "Declaration on Behalf of Deceased Inventor" should be changed to "Declaration on Behalf of Deceased Inventor's Legal Representatives" and in line 5 thereof "Christie" should be changed to --Christie's legal representatives Joseph S. Christie and Jean M. Christie--. A supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64, as set forth above, is **REQUIRED** before issuance of the application as a patent or any earlier time required by the examiner.

It is noted that the "Power of Attorney by Assignee," filed March 3, 1997, does not comply with 37 CFR 3.73 and is therefore not acceptable.

After mailing of this decision, the application will be forwarded to Examining Group 2600 for further processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 306-3159.

Karin Tyson

Karin Tyson
Legal Advisor
Special Program Law Office
Office of the Deputy Assistant Commissioner
for Patent Policy and Projects